

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Gemstar International Group, Ltd.)	CSR 5528 – Z
and Gemstar Development Corp.)	
)	
Time Warner Cable)	CSR 5698 - Z
)	

ORDER OF DISMISSAL

Adopted: January 15, 2004

Released: January 16, 2004

By the Chief, Media Bureau:

1. On January 7, 2002, Gemstar-TV Guide International Group, Inc. (“Gemstar”), filed a Petition for Reconsideration of the Commission *Memorandum Opinion and Order* in the above captioned matter.¹ On December 5, 2003, Gemstar filed a Petition to Dismiss its Petition for Reconsideration based on an agreement it reached with Time Warner Cable for carriage of Gemstar’s electronic program guide data.

2. We are satisfied that granting Gemstar’s motion to withdraw, and dismissing the Petition for Reconsideration will serve the public interest by promoting private resolution of disputes and by eliminating the need for further litigation and the expenditure of additional time and resources of the parties and the Commission.

3. Accordingly, IT IS ORDERED that the Petition to Dismiss filed by Gemstar-TV Guide International Group, Inc. IS GRANTED. IT IS FURTHER ORDERED that the Petition for Reconsideration filed by Gemstar-TV Guide International Group, Inc. IS DISMISSED.

4. This action is taken pursuant to authority delegated by Section 0.283 of the Commission’s rules, 47 C.F.R. § 0.283

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree
Chief, Media Bureau

¹ *Gemstar International Group, Ltd. Petition for Special Relief; Time Warner Cable Petition for Declaratory Ruling*, 16 FCC Rcd 21531 (2001) (“Order”).